

400.01 Introduction

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400.01 Introduction

Part 400 covers environmental analysis and documentation requirements during project development, which has two phases: (1) the design phase, beginning after the legislature has allocated funds to the project, and ending with approval of the project design and environmental documents; and (2) the PS&E phase, during which plans, specifications, and estimates (PS&E) are approved and permits are obtained. At the end of the project development phase, the project goes to bid. **Figure 400-1** illustrates this process. **Figure 400-2** shows the relationship between design and permitting once the final design and environmental documents are approved.

During the design phase, the project is completed to the level needed to do the environmental analysis and compare alternatives. Most environmental analysis is done in tandem with project design, and re-design to accommodate an environmental issue is common. An environmental document is drafted after analyzing environmental issues, developing mitigation measures, consulting with resource agencies for any permits involved, and making a determination about the significance of the environmental impacts. When the environmental document is finalized, the final design stage begins, and the project cost, scope, and schedule can be set.

The design phase is generally considered complete with approval of the design file and environmental documents. A Finding of No Significant Impact (FONSI) for EAs, and a Record of Decision (ROD) for FEISs are the final federal approval of environmental documents. (The WSDOT Design Manual states

that an “8 Point Access Report” is required for approval of an FEIS for a Limited Access Highway.)

Key environmental compliance activities are:

- Agency coordination and public involvement
- Analysis of environmental impacts
- Comparison of impacts for each alternative
- Preparation of mitigation plans
- Documentation
- Preparation of project commitment file
- Preliminary permit applications

After the design phase is complete, preliminary and final contract PS&Es are prepared, and rights-of-way and permits are acquired. If a project is currently funded, the acquisition of rights-of-way can occur before the PS&Es are completed. If funding for construction is unavailable, the PS&Es may be completed, but “shelved” until funding is available.

Key environmental compliance activities during this phase are:

- Final mitigation plans
- Final permits

Certain environmental activities continue late into the development process. Removal of hazardous materials, mitigation and compensation measures, and permit issues all could potentially span into the post-design phases of a project, and could result in additional duties, tasks, and costs.

400.02 Organization of Part 400

Part 400 first gives an overview of the NEPA/SEPA process of environmental review and analysis that occurs during project development. **Section 410** gives an overview of NEPA and SEPA legislation and implementing regulations that specify the process to be followed. **Section 411** gives step-by-step guidance on

preparing environmental documents: categorical exclusions and/or exemptions, environmental assessments and/or checklists, environmental impact statements, and supplemental documentation if required. [Section 412](#) describes internal processes and procedures followed within WSDOT, including guidance on planning the environmental analysis and permitting process, involving the public, and coordinating with other agencies.

The rest of Part 400 ([Section 420](#) through [Section 480](#)) gives detailed guidance for completing the environmental analysis done during project development to meet NEPA/SEPA requirements, and to obtain state and federal permits. For most sections, WSDOT Discipline Report checklists are used as guides to what is required. The guidance refers extensively to the relevant authorizing legislation and regulations, and wherever possible points to web sites where resource materials are available online.

[Section 420](#) through [Section 480](#) also serve as a reference for environmental analysis done during

earlier phases of planning ([Section 230](#)) and project definition ([Section 320](#)), as well as during construction ([Section 510](#)), maintenance ([Section 520](#)), and disposal of surplus real property ([Section 530](#)).

Section headings correspond to those in environmental assessments/checklists and environmental impact statements, as described in [Section 411.08](#). These topics include but are not limited to:

- Earth – geology and soils.
- Air Quality.
- Water Quality – surface water, floodplain, groundwater.
- Plants and animals – wetlands, threatened and endangered species, wildlife, fisheries, and habitat.
- Energy.
- Environmental health – noise and hazardous materials.

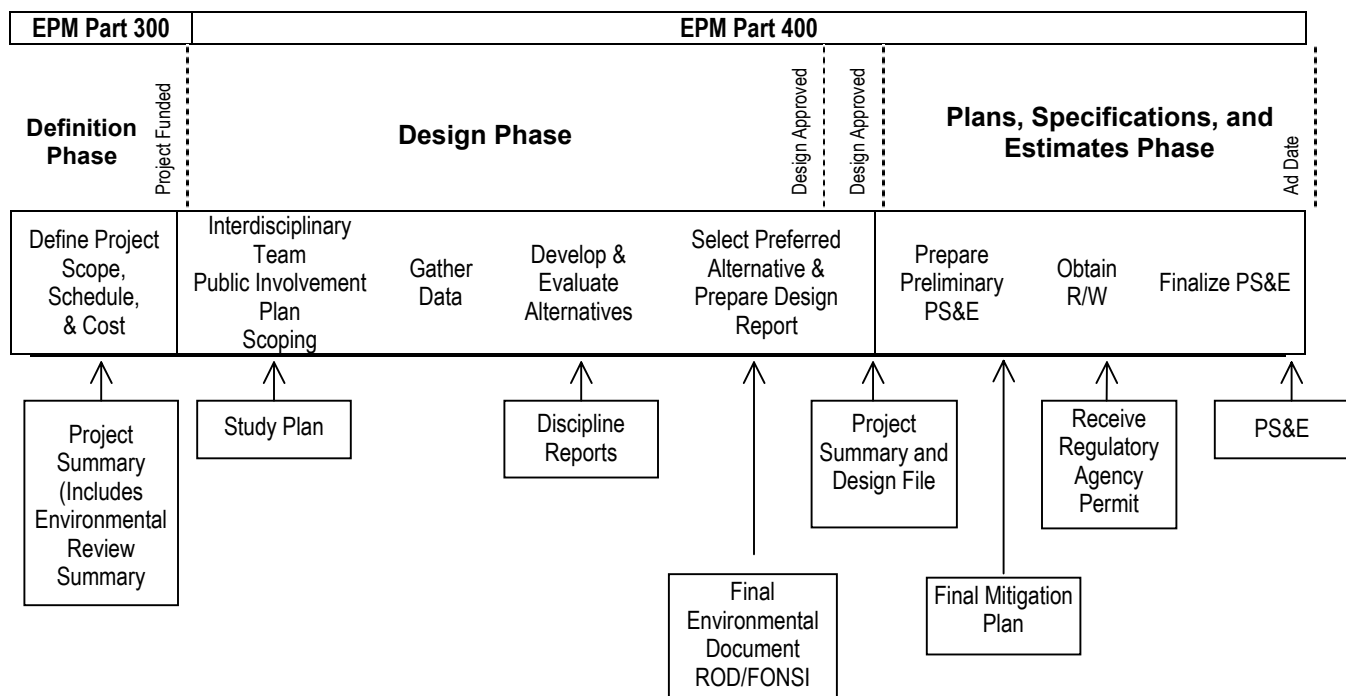


Figure 400-1: WSDOT Project Development Process

- Land use – population/land use and growth management, shorelines, wild and scenic rivers, farmlands, public lands (Section 4(f), Section 6(f), and forest lands), historic and cultural resources (Section 106), social and economic issues including relocation, environmental justice, and aesthetics and visual quality.
- Transportation – vehicular traffic, parking, waterborne, rail, and air traffic.
- Public services and utilities.
- Secondary and cumulative effects.
- Irreversible and irretrievable commitment of resources.
- Relationship of short-term uses of environment and long-term productivity.

The section on each element of the environment follows the same outline:

- Introduction – summary of requirements, elements included, abbreviations and acronyms.
- Applicable statutes and regulations.
- Policy guidance.
- MOUs, MOAs and interagency agreements.
- Technical guidance.
- Permits and approvals.
- Special non-road project requirements.
- Exhibits.

Each section is organized to present the statutory and regulatory framework first, followed by policies and specific procedural requirements. Memoranda of Understanding (MOUs) typically address procedural issues defining the responsibilities of each agency. However, some contain substantive permit requirements. For most sections, the WSDOT Discipline Report provides the subject-specific documentation for preparation of EISs and other environmental documents. The permit section identifies applicable permits and discusses what is required with varying degrees of specificity. Any special requirements for non-road projects

such as ferries, airports or rail are listed. In the absence of such information, the user should assume the requirements described in the previous sub-sections apply to those facilities as well.

400.03 Exhibits

None.

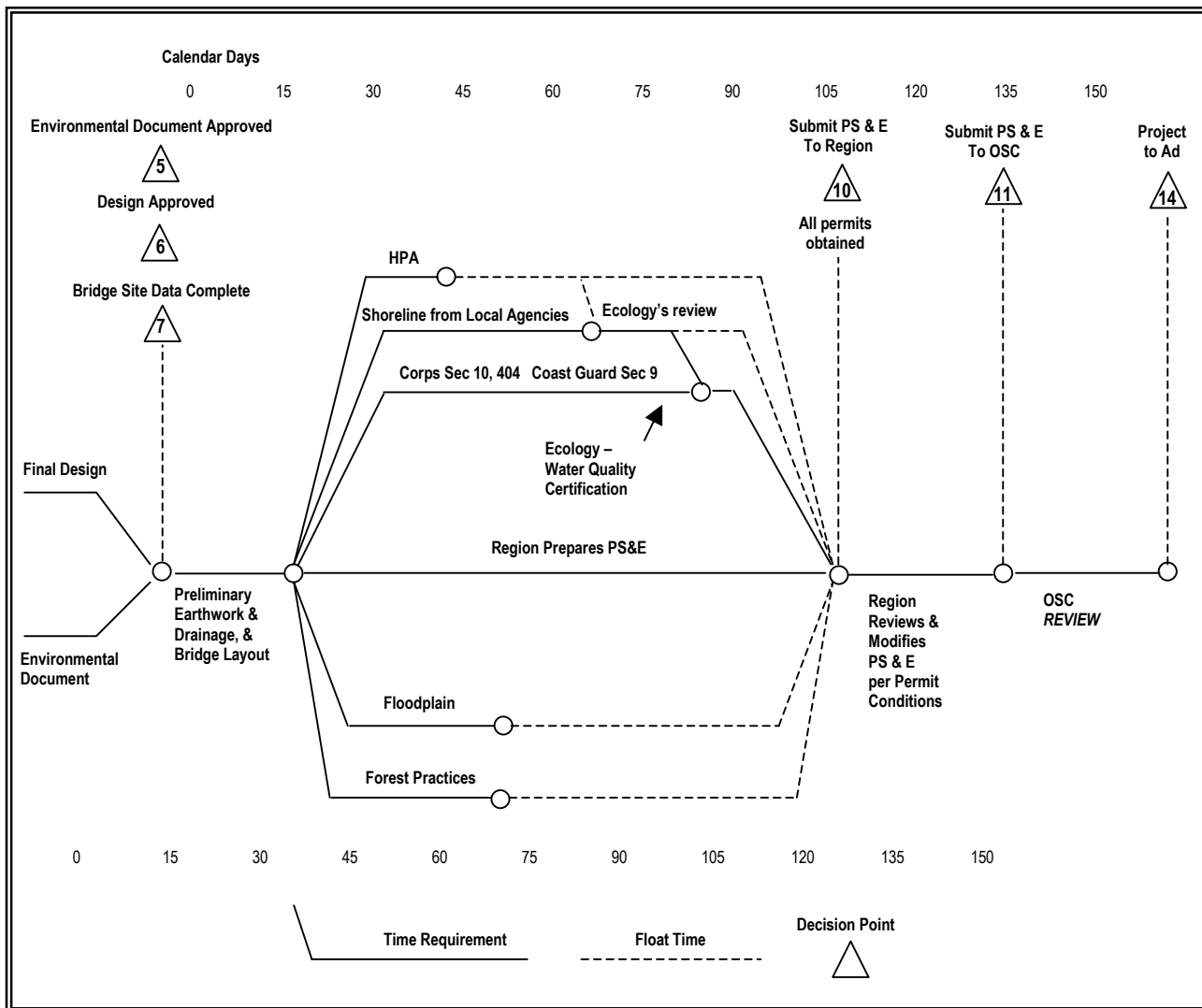


Figure 400-2: Relationship Between Design and Permitting